

Customer No. 035884

Attorney Docket No. 2154-3002-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL LYNN GABRIEL

Serial No: 10/536,744

Filed: May 27, 2005

For: MULTI-SENSOR BABY
CARE MONITORING SYSTEM

Art Unit: 2612

Examiner: Davetta Woods Goins

Conf. No.: 4504

TERMINAL DISCLAIMER

Mail Stop: Amendment

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, MICHAEL LYNN GABRIEL, represents that the petitioner is the owner of the entire right, title and interest of the instant application, identified above as U.S. Application No. 10/536,744, filed on May 27, 2005.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,870,479. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that legal title to the prior patent and said patent issuing from the instant application are

commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

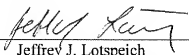
Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), have all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record and as such is empowered to act on behalf of petitioner. An authorization to charge Deposit Account No. 502290 for the \$65 fee in accordance with 37 CFR § 1.20(d) is included herewith. The Commissioner is hereby further authorized to charge any additional fees which may be necessary that arise in connection with this filing to Deposit Account No. 502290.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

Date: May 15, 2007

By: 
Jeffrey J. Lotspeich
Registration No. 45,737
Attorney for Applicant

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